

1 ROBERT S. McLAY (SBN 176661)
STEPHEN M. HAYES (SBN 83583)
2 CHERIE M. SUTHERLAND (SBN 217992)
HAYES, DAVIS, BONINO,
3 **ELLINGSON, McLAY & SCOTT LLP**
980 9th Street, 16th Floor
4 Sacramento, CA 95814
Telephone No.: 916.449.9556
5 Facsimile No.: 916.449.9622

6
7 Attorneys for Defendant
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11
12 RODERICK HERBERT,
13 Plaintiff,

14 v.

15 STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY and DOES 1 to 20,
16 inclusive,
17 Defendants.

CASE NO. 4:06-CV-05532-SBA

STIPULATION AND [PROPOSED]
ORDER FOR CONTINUANCE OF THE
DEADLINE FOR CONDUCTING THE
EARLY NEUTRAL EVALUATION
CONFERENCE

27 ///

28 ///

On January 3, 2007, this case was referred to Early Neutral Evaluation (“ENE”) by this Court. On January 24, 2007, Stanely L. Gibson of Gibson, Robb & Lindh LLP was appointed as the ENE evaluator. Although not in the Scheduling Order, the parties were advised by Mr. Gibson that the ENE had to be conducted by March 13, 2007.

All parties, by and through their respective counsel, hereby stipulate to continue the deadline to conduct the ENE from March 13, 2007 to April 27, 2007.

I. **RECITALS**

1. The Court has appointed Stanely L. Gibson of Gibson, Robb & Lindh LLP as the ENE Evaluator.

2. On March 1, 2007, the parties participated in a pre-ENE conference call with Mr. Gibson.

3. Due to vacation schedules and other conflicts of the attorneys who must attend, the parties agreed to short continuance of the ENE until the end of April, specifically April 27, 2007.

4. This short continuance is also necessary since we have been advised by Craig K. Martin of the Law Office of Craig K. Martin that he will be substituting in as counsel for plaintiff. Mr. Martin has advised that he is on vacation until March 12, 2007.

5. The parties have tentatively agreed to April 3, 2007, for the date of the ENE conference, but it is unknown if plaintiff’s new counsel will be able to attend that date.

6. For these reasons, the parties have agreed to stipulate to extend the deadline to conduct the ENE conference until April 27, 2007.

7. The parties do not seek to continue any other deadlines other than the ENE deadline of March 13, 2007.

Accordingly, the parties hereby stipulate to continue the deadline to conduct the ENE conference as follows:

///

///

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

II.
STIPULATION

The parties hereby stipulate to continue the deadline to conduct the Early Neutral Evaluation conference from March 13, 2007 to April 27, 2007.

IT IS SO STIPULATED.

Dated: March 9, 2007

CROSETTI & TITMUS

By 

THOMAS J. TITMUS
Attorney for Plaintiff
RODERICK HERBERT

Dated: March 12, 2007

HAYES, DAVIS, BONINO, ELLINGSON, McLAY
& SCOTT

By 

ROBERT S. McLAY
CHERIE M. SUTHERLAND
Attorneys for Defendant
STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY

///


///

///

I.
~~PROPOSED~~ ORDER

In accordance with the Stipulation of the parties, the deadline for conducting the Early Neutral Evaluation conference has been moved to April 27, 2007.

Dated: APRIL 2, 2007


HON. SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT COURT JUDGE
FOR THE NORTHERN DISTRICT OF
CALIFORNIA